



PATENT  
Docket No. 212302000320

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Date of Deposit: August 21, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

*Debra J. Glaister*  
Debra J. Glaister

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Stefan MILTENYI et al.

Serial No.: 08/416,920

Filing Date: April 21, 1995

For: DIRECT SELECTION OF CELLS BY  
SECRETION PRODUCT

Examiner: R. Schwadron

Group Art Unit: 1644

**REQUEST FOR REMOVING THE FINALITY OF AN OFFICE ACTION  
PURSUANT TO 37 C.F.R. § 1.129(a)**

Box AF  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.129(a), applicant(s) request that the finality of the Office Action dated July 20, 1999 (Paper No. 19) be removed.

- ☒ The earliest effective U.S. filing date for this application is prior to June 8, 1993. A Request for a Corrected Filing Receipt claiming priority to U.S.S.N. 07/965,934 filed on October 21, 1992 was mailed to the U.S. Patent and Trademark Office on August 21, 2000, (copy is enclosed).
- ☒ This request is made prior to the filing of an appeal brief and prior to abandonment of the application.
- ☒ This is applicant(s) first request for removing the finality of an Office Action.
- ☒ A response to the Office Action was filed on January 20, 2000.
- ☒ A small entity statement was previously filed in this application.

☒ A check in the amount of \$345.00 is attached.

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this request, or to credit any overpayment, to

**Deposit Account No. 03-1952.**

Dated: August 21, 2000

By:



Debra J. Glaister  
Registration No. 33,888

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5725  
Facsimile: (650) 494-0792



PATENT  
Docket No. 212302000320

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on August 21, 2000.

*Patricia Ellison*  
Patricia Ellison

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Stefan MILTENYI et al.

Serial No.: 08/416,920

Filing Date: April 21, 1995

For: DIRECT SELECTION OF CELLS BY  
SECRETION PRODUCT

Examiner: R. Schwadron

Group Art Unit: 1644

REQUEST FOR A CORRECTED FILING RECEIPT

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

**COPY**

Dear Sir:

Please furnish the undersigned with a corrected Filing Receipt for the above-identified application. The correction needed is as follows:

1. In the Continuing Data As Claimed By Applicant field after "THIS APPLN IS A 371 OF PCT/US93/10126 10/21/93" please add --WHICH CLAIMS PRIORITY TO U.S.S.N. 07/965,934 10/21/1992--.

Support for this correction can be found in the executed Combined Declaration For Patent Application and Power of Attorney as filed on April 21, 1995, copy enclosed.

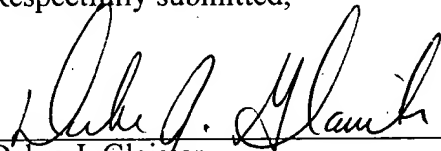
A copy of the marked-up Filing Receipt is attached.

Applicants believe no fee is due. In the unlikely event that the Patent Office determines that a fee is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: August 21, 2000

By:

  
Debra J. Glaister  
Registration No. 33,888

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5725  
Facsimile: (650) 494-0792

**COPY**

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JUL 10 1995

FILING RECEIPT

MORRISON & FOERSTER



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
08/416,920	04/21/95	1808	\$1,944.00	212302000320	15	68	6

SUSAN K LEHNHARDT  
MORRISON & FOERSTER  
755 PAGE MILL ROAD  
PALO ALTO CA 94304-1018

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

**Applicant(s)**

STEFAN MILTENYI, BERGISCH GLADBA, FED REP GERMANY;  
ANDREAS RADBRUCH, BONN, FED REP GERMANY; RUDI MANZ,  
KOLN-SULZ, FED REP GERMANY.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A 371 OF PCT/US93/10126 10/21/93  
WHICH CLAIMS PRIORITY TO U.S.S.N. 07/965,934 10/21/1992

**TITLE**

DIRECT SELECTION OF CELLS BY SECRETION PRODUCT

PRELIMINARY CLASS: 435

**COPY**

**DOCKETED**